



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

**1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023**

URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY
CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

June 6, 2003

Waterbury Realty, LLC
c/o Mr. David Holand, Registered Agent
730 North Main Street
Waterbury, CT 06704

**Re: REQUEST FOR ACCESS TO PROPERTY
EPAC SUPERFUND SITE**

Dear Mr. Holand:

The United States Environmental Protection Agency ("EPA") respectfully requests permission for EPA, its agents, contractors, and other authorized representatives to have access to property located on 730 North Main Street, Waterbury, Connecticut. The Site is further defined as parcel 0237-0166-0024 on the City of Waterbury Tax Maps.

EPA requests access to the property to conduct a removal action at the EPAC Superfund Site ("Site"). A removal action is necessary to address the threat to public health and/or the environment posed by hazardous substances at the Site. The type of activities which EPA expects to perform include: removal of friable asbestos from a boiler and that which is intermingled with building debris, removal of polychlorinated biphenyls (PCBs) contaminated oil from transformers and capacitors, locating, extracting, and overpacking of drums containing hazardous substances, disposing of friable asbestos, PCB oils, drums and contaminated soils at approved off-site disposal facilities, and other field activities necessary to complete these response actions.

EPA also requests access to documentation which provides information about materials, including hazardous substances, pollutants or contaminants, or hazardous waste, that were generated, treated, stored, or disposed of at the Site. In addition, if you have information and documentation regarding other parties involved in the activities which may have resulted in contamination at the Site, you should contact Sharon Fennelly, EPA Enforcement Coordinator, at (617) 918-1263.

EPA is allowed to seek this information and conduct such investigations pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended .42 U.S.C. § 9604(e). The authorization provided by CERCLA includes

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Internet Address (URL) • <http://www.epa.gov/region1>

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access to private property for the purpose of determining the need for response actions, performing response actions, and/or enforcing CERCLA.

Please signify your consent to access by signing the enclosed access agreement and returning it to me at the above address. The access agreement must be signed by all owners of the property. Please provide the name, address, and telephone number of a designated contact for future communications. Please reply to this request within **ten (10) business days** of your receipt of this letter.

Your cooperation in assisting with completion of activities at the Site is appreciated. If you have any questions, I may be contacted at (617) 918-1278. All communications from your legal counsel should be directed to Cynthia A. Lewis of the EPA Office of Environmental Stewardship at (617) 918-1889.

Sincerely,



Les Sims
On-Scene Coordinator
Emergency Planning and Response Branch

Attachments

cc: Sharon Fennelly, EPA Enforcement Coordinator - OSRR
Cynthia A. Lewis, EPA Removal Counsel - OES

CONSENT FOR ACCESS TO PROPERTY

NAME: Waterbury Realty, LLC

ADDRESS OF 730 North Main Street (parcel 0237-0166-0024)
PROPERTY: Waterbury, Connecticut

I (We) consent to the officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives of the United States Environmental Protection Agency ("EPA") entering and having continued access to the above-referenced property for the following purpose(s):

- Removal of asbestos from the boiler and that which is intermingled with debris.
- Removal of PCB-contaminated oil from transformers, capacitors and containers.
- Locating, extracting, and over-packing drums containing hazardous substances.
- Sampling any solids or liquids stored or disposed of on-site.
- Shipping asbestos, oils, drums and contaminated soils off-site for disposal at approved off-site disposal facilities.
- Other field activities necessary to complete these response actions.
- Reviewing and copying any documentation found on-site regarding materials including hazardous substances, pollutants or contaminants, or hazardous waste that were generated, treated, stored or disposed of at the Site.

I (We) understand that my representative may accompany EPA or its representatives during the response actions and I (we) agree that our representative will not interfere in any way with conduct of the removal action. However, this Consent for Access is not contingent on a representative accompanying EPA or its representatives during the removal action.

I (We) realize that these actions by EPA are undertaken pursuant to EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601 et seq.

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse and without threats or promise of any kind.

Signature

Date

Signature

Date



Office of Enforcement and Compliance Assurance **INFORMATION SHEET**

U.S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and State environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. Many public libraries provide access to the Internet at minimal or no cost.

EPA's Small Business Home Page (<http://www.epa.gov/sbo>) is a good place to start because it links with many other related websites. Other useful websites include:

EPA's Home Page
<http://www.epa.gov>

Small Business Assistance Programs
<http://www.epa.gov/ttn/sbap>

Compliance Assistance Home Page
<http://www.epa.gov/oeca/oc>

Office of Site Remediation Enforcement
<http://www.epa.gov/oeca/osre>

Hotlines, Helplines and Clearinghouses

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance on environmental requirements.

EPA's Small Business Ombudsman Hotline can provide a list of all the hot lines and assist in determining the hotline best meeting your needs. Key hotlines include:

EPA's Small Business Ombudsman
(800) 368-5888

Hazardous Waste/Underground Tanks/ Superfund
(800) 424-9346

National Response Center
(to report oil and hazardous substance spills)
(800) 424-8802

Toxics Substances and Asbestos Information
(202) 554-1404

Safe Drinking Water
(800) 426-4791

Stratospheric Ozone and Refrigerants Information
(800) 296-1996

Clean Air Technical Center
(919) 541-0800

Wetlands Hotline
(800) 832-7828

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